

IN THE MATTER OF THE
THE APPLICATION OF GOSPEL
TABERNACLE OF BALTIMORE
FOR A ZONING RECLASSIFICATION
FROM D.R. 16 TO B.M.
ON PROPERTY LOCATED ON THE
SOUTHEAST SIDE OF BELAIR
ROAD, 790' SOUTHWEST OF THE
CENTERLINE OF EBENEZER ROAD
(8867-8869 BELAIR ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD
* OF APPEALS OF
* BALTIMORE COUNTY
* CASE NO. CR-91-118
* Item #12, CYCLE IV
* 1990-1991
* (Documented Site Plan)

OPINION

This matter comes before the Board as a Petition for Zoning Reclassification, seeking a change from the existing D.R. 16 classification to B.M. zoning. The property of 1.4 acres borders along Belair Road at Ebenezer Road and is in the Fifth Councilmanic District of Baltimore County under the present ownership of the Gospel Tabernacle of Baltimore. At this hearing, there was no opposition to the Petition for the B.M. zoning.

When considering Petitions for Reclassification, this Board is governed by Section 2-58(j) of the Baltimore County Code which states, in essence, that before any property may be reclassified, the Board must find that there has occurred substantial change in the character of the neighborhood, or that the last classification of the property was established in error.

Clearly, the Petitioners produced a number of excellent witnesses to demonstrate that the requested zoning be granted.

The Reverend Gary Heffler, Pastor of Gospel Tabernacle, reviewed the Church's desire to sell the subject property over the years, but delayed to assure some control over its use. The proposed plan of the Contract Purchaser, Town & Country Property

Gospel Tabernacle of Baltimore, Case No. CR-91-118

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Partnership, Inc., satisfies the desires of the Church.

Mr. Michael Jager of the State Highways Department testified to the years of planning for the widening of Belair Road, and in particular to the changes forthcoming to the automobile agency as the Contract Purchaser when it loses an essential strip of property to the improvement of the heavily travelled highway.

Mr. Richard Sammis, owner and operator of the automobile franchise, testified to the manner, after 1988, that he learned of the road widening and of subsequent meetings held with the State Highway Administration. Mr. Sammis reviewed some existing ingress and egress problems at his business location, and the manner in which his plan for the subject property will enhance traffic movement and safety, as well as the operations of his automobile agency.

Mr. William Monk, recognized by the Board as an expert land planner and consultant, reviewed the Documented Site Plan he prepared for the subject site, and provided comprehensive information on the relationship of the Belair Road site in the Perry Hall-White Marsh Plan, adopted by the County Council in 1985. Referring to map exhibits entered in this case, Mr. Monk highlighted the commercial zoning along Belair Road and the considerations for "B" zoning in the Master Plan of 1990.

Testimony in this hearing indicated no viable residential use for the subject site of 1.4 acres, yet a reasonable and very appropriate utilization with the B.M. classification, as designated in the Documented Site Plan and in conjunction with the widening of

Gospel Tabernacle of Baltimore, Case No. CR-91-118

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Belair Road.

In light of the long projected plan to widen Belair Road, predating the 1988 Comprehensive Map Process, it may appear that the County was in error in retaining a D.R. 16 classification for the subject parcel. Regardless, the subsequent widening and taking of property manifestly changes the character of the location to warrant the requested classification.

It is also noteworthy that the Petition for a B.M. zone is supported by the Perry Hall Improvement Association, and received the recommendation of the Baltimore County Planning Board and the Planning staff.

For the reasons indicated above, this Board shall grant the Petition for Reclassification.

ORDER

IT IS THEREFORE this 5th day of June, 1991 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Reclassification of the 1.4 acres from D.R. 16 to B.M. as shown on the documented site plan, be and the same is hereby GRANTED with the following restrictions:

- 1) The Petitioner shall submit a landscape plan to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permits. Said plan shall also include interior landscape treatment of the parking and display area;
- 2) Any lighting fixtures used for illumination and security purposes should be arranged to reflect the light away from adjacent residential properties and public streets;

Gospel Tabernacle of Baltimore, Case No. CR-91-118

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- 3) Restrict the use of outdoor speakers since this site is located within close proximity to residentially zoned land;
- 4) No temporary signs or seasonal banners shall be permitted on site.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

John G. Disney
John G. Disney

CR91-118

RECLASSIFICATION PETITION
OF THE GOSPEL TABERNACLE OF
BALTIMORE

* BEFORE THE
* BOARD OF APPEALS
* OF BALTIMORE COUNTY

* * * * *

MEMORANDUM IN SUPPORT OF RECLASSIFICATION

1. PROPERTY LOCATION

The subject property is located in the 6th Councilmanic District and is a part of a larger tract owned by the Petitioner, Gospel Tabernacle of Baltimore ("Petitioner"). The property is situated approximately 550 feet southwest of the intersection formed by Belair Road and Ebenezer Road and is located on the southeast side of Belair Road. This site is approximately 200' x 200' square fronting on Belair Road and currently is unimproved.

2. SURROUNDING ZONING AND LAND USE

The subject property is bounded on the north by the Town and Country Pontiac-Nissan auto dealership which property is zoned BM. On the east, the property is bounded by the Petitioner's remaining property which is zoned DR 16. To the south the property is bounded by additional land owned by the Petitioner, zoned DR 16 and DR 5.5. The balance of the remaining Belair Road frontage owned by the Petitioner is zoned RO. Development to the northwest on the opposite side of Belair Road is zoned BL-CSA and consists of a multitude of business uses.

3. PROPOSED USES

The Petitioner proposes to sell the subject site to Town and Country Pontiac-Nissan auto dealership who intends to reconfigure

its sales operation due to the State Highway Administration's widening of Belair Road. The Petitioner proposes and submits with the application a documented site plan consisting of the extent of development for the subject property. As is evident from the site plan, the proposed contract purchaser will erect a small sales office, staging areas for new car displays, and customer parking. The site will be extensively screened from the Petitioner's residential property by landscaping and a screened fence treatment.

4. RATIONALE FOR REZONING REQUEST

The Petitioner contends that a mistake was made by the Baltimore County Council in zoning that portion of its property fronting on Belair Road to DR 16 during the comprehensive map process in 1988. The County Council did not take into account the land use trends and other existing factors reasonably foreseeable in the future at the time of the comprehensive mapping process. The subject property is located on the extreme edge of the White Marsh growth area. Unimproved parcels have been zoned for high density residential development away from Belair Road and are more appropriately located than fronting on Belair Road which has a paucity of any undeveloped DR 16 property.

In addition, the Petitioner contends that the County Council did not take into consideration the extensive road improvements that were planned for this area of Belair Road and are imminent through the State Highway Administration's capital improvements

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program. The State proposes to widen Belair Road through the frontage of the Petitioner's property, as well as the adjoining contract purchaser's property to create an additional lane for the purpose of better facilitating traffic flow through the intersection of Belair Road and Ebenezer/Joppa Road. The State also proposes to construct a raised median through the middle of Belair Road, as widened, which will prohibit crossover turning movements by vehicles. The right-of-way widening reduces the land for the existing automobile dealership in front of its facility and eliminates much needed customer parking and new car outdoor sales area. As a result, the widening will render the front of the Town and Country Pontiac-Nissan dealership functionally obsolete with an entranceway which will be diminished in depth and potentially create traffic problems on Belair Road.

The Petitioner contends that the increased traffic and widening of Belair Road (trends which should have been considered by the County Council) will render its property inappropriate for high density residential usage. This zoning classification is more appropriate for the rear portion of the site which is presently owned by the Petitioner and will remain in the DR 16 classification.

The relocated driveway entrance for the automobile dealership will have the effect of approving the appearance, traffic flow, and traffic safety along Belair Road without substantially increasing traffic usage, contrary to the current

3

zoning classification of DR 16 for high density residential usage. The County Council accordingly erred in that they failed to take into consideration existing and foreseeable future conditions in determining to maintain the high density residential zoning classification during the 1988 comprehensive zoning map process. In fact, the County Council has acknowledged this position by its statements on pages 116 and 117 of the Master Plan and these statements, in and of themselves, make it clear that the County Council failed to take into account then existing facts, projects, or trends which were reasonably foreseeable so that the initial zoning action was premised on a misapprehension as to the future condition of Belair Road.

RESPECTFULLY SUBMITTED:

Gary C. Duval
Gary C. Duval
MILES & STOCKBRIDGE
Suite 300, 600 Washington Avenue
Towson, MD 21204
(301) 823-8155

Attorney for Petitioner

4

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5300
(410) 887-4300
Paul H. Bowers
Fire

OCTOBER 12, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: GOSPEL TABERNACLE OF BALTIMORE

Location: #8867-8669 BELAIR ROAD

Item No.: CR-91-118 Zoning Agenda: OCTOBER, 1990 - APRIL, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

JR/KEK

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

November 23, 1990



Mr. William Hackett
Chairman, Board of Appeals
County Office Building
Towson, Maryland 21204

Zoning Classification Cycle IV
Property Owner:
Case No./Hearing Date:
Location:

October 1990 - April 1991
Gospel Tabernacle of Baltimore
C.R.-91-118; May 22, 1991
S.R./S Belair Road, 790' S.W. of
Ebenezer Road.

Existing Zoning:
Election District:
Councilmanic District:
Acres:
Proposed Zoning:

D.R.-16
11th
5th
1.40
B.M.

Dear Mr. Hackett:

The existing D.R.-16 zoning for this site can be expected to generate approximately 135 vehicle trips per day. The proposed B.M. zoning for this site can be expected to generate approximately 700 trips per day.

Very truly yours,

[Signature]
Michael S. Planigan
Traffic Engineer Associate II

MSF/lvw

RECEIVED
NOV 28 1990
ZONING OFFICE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

May 8, 1991

887-3353

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, MD 21204

RE:

Item No. 12
Case No. R91-118
Petitioner: Gospel Tabernacle of
Baltimore
Reclassification Petition

Dear Mr. Duvall:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle IV). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office on or before May 22, 1991. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

R91-118
Gary C. Duvall
Page 2

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 887-3391 or the commenting agency.

Very truly yours,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Rev. Gary Huffer, Gospel Tabernacle of Baltimore
Town & Country Property Partnership, Inc.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
31st day of August, 1991.

[Signature]
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

[Signature]
Chairman
Zoning Plans Advisory Committee

Petitioner: Gospel Tabernacle of Baltimore, et al
Petitioner's Attorney: Gary C. Duvall

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 29, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: Mr. James Dyer

Re: Baltimore County
Town and Country Property
Partnership, Incorporated
Case No. CR-91-118
E/S Belair Road
US 1-N
790' south of Ebenezer Road

Dear Mr. Haines:

We have received the proposal for a change of zoning from D.R. -16 to B.M. and have the following comment:

We have forwarded this plan to our Design Section to determine if the proposed right-of-way line along Belair Road is consistent with our right-of-way needs for our Belair Road improvements. We will forward their comments when they become available.

Also, the plan must be revised to show construction of concrete curb along the property frontage to be in line with existing curb north of the entrance.

All work within State Highway Administration right-of-way must be accomplished under an access permit issued by our office prior to issuance of building permits.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

[Signature]
John Contestabile, Chief
Engineering Access Permits
Division

LB/ies

cc: William P. Monk, Incorporated
Mr. J. Ogle

received

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-3082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

June 5, 1991

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, Maryland 21204

Re: Case No. CR-91-118 (Gospel Tabernacle of Baltimore)

Dear Mr. Duvall:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

[Signature]
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Gospel Tabernacle of Baltimore
Town & Country Property Partnership, Inc.
William P. Monk, Inc.
Mr. James Earl Kraft
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney

CR-91-118

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8831

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ENVIRONMENTAL IMPACT STATEMENT

TO ACCOMPANY THE
TOWN AND COUNTRY PONTIAC-NISSAN REZONING APPLICATION
8867-69 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND

I. INTRODUCTION

This report is in support of the rezoning application for the Town & Country Pontiac-Nissan Automotive Dealership. The intent of this rezoning application is to permit the expansion of the existing rezoning application to provide for new and used car sales. The property is located approximately 600 feet southwest of the intersection of Belair Road (U.S. Route 1) and Ebenezer Road (Exhibit 1: Vicinity Map). The area in question is currently zoned residential (D.R. 16), and the requested zoning for the property is Business-Major (B.M.). The site has approximately 220 feet of frontage along Belair Road and is 200 feet deep containing approximately 46,000 square feet of land (1 acre +/-).

This report will show through an assessment of the existing site conditions, the proposed development activity, and an environmental impact assessment that the proposed rezoning of the property and subsequent development activity will not adversely impact the environment on site or that of the adjacent properties. In addition, this report will show that the proposed development activity will not result in cumulative or long-term impacts resulting in an irreversible or irretrievable commitment of resources.

II. EXISTING SITE CONDITIONS

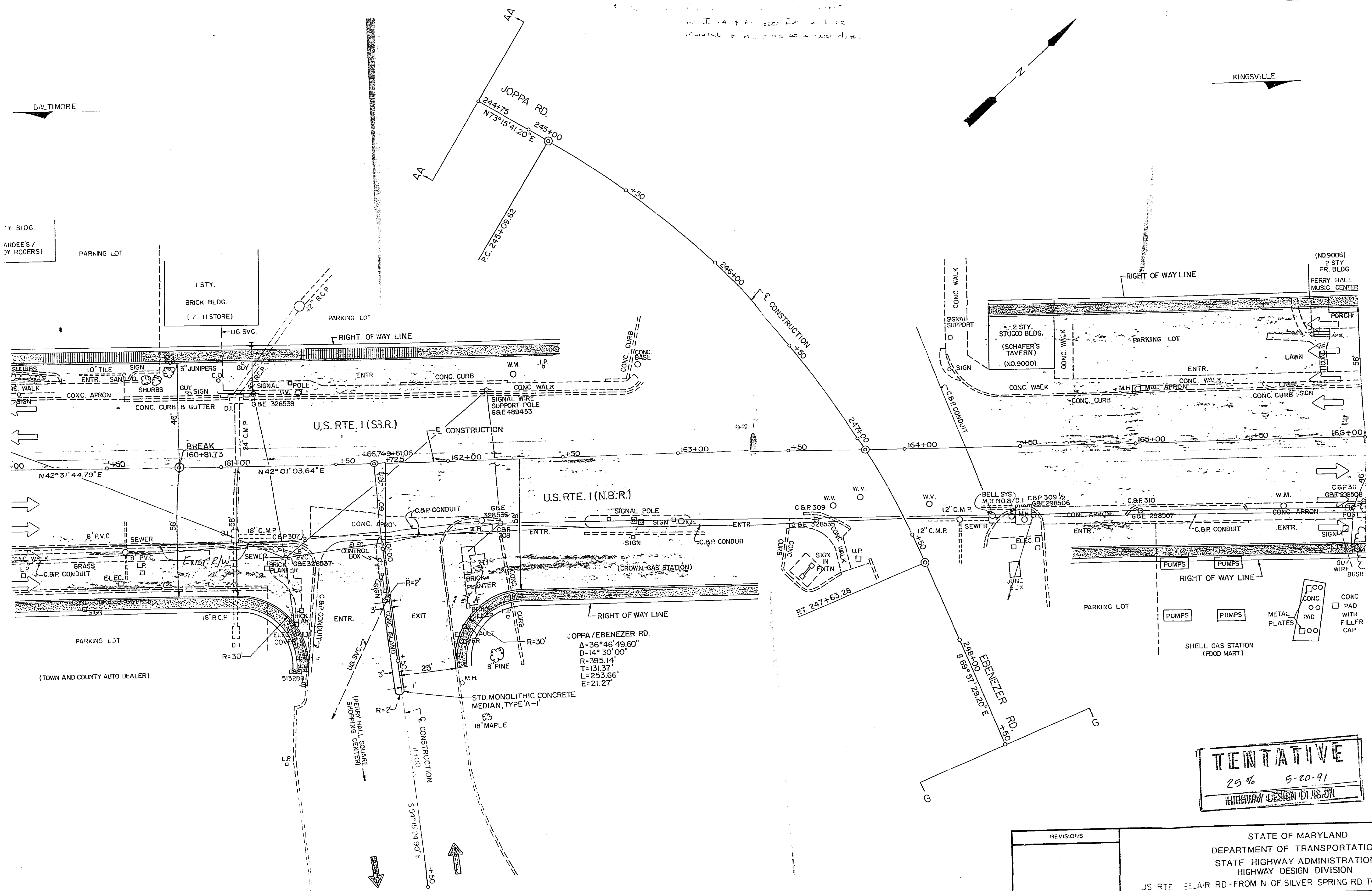
This property is unimproved and abuts the southeast side of Belair Road. The land directly across Belair Road is currently used for a variety of commercial activities. The property to the northeast is improved by the existing Town & Country Pontiac-Nissan Automotive Dealership. To the east and south is located a large church/school building currently owned by the Gospel Tabernacle Church of Baltimore. To the southwest is located a single family dwelling owned by the Gospel Tabernacle Church.

The site topography is characterized by gentle terrain with elevations ranging from 240 feet along the southeastern property

1

PREPARED BY:
WILLIAM P. MONK, II
LAND/USE PLANNING
CAMPBELL BUILDING
SUITE 308
100 W. PENNSYLVANIA
TOWSON, MARYLAND 21204-2824

F.H.W.A. REGION NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	MD.			

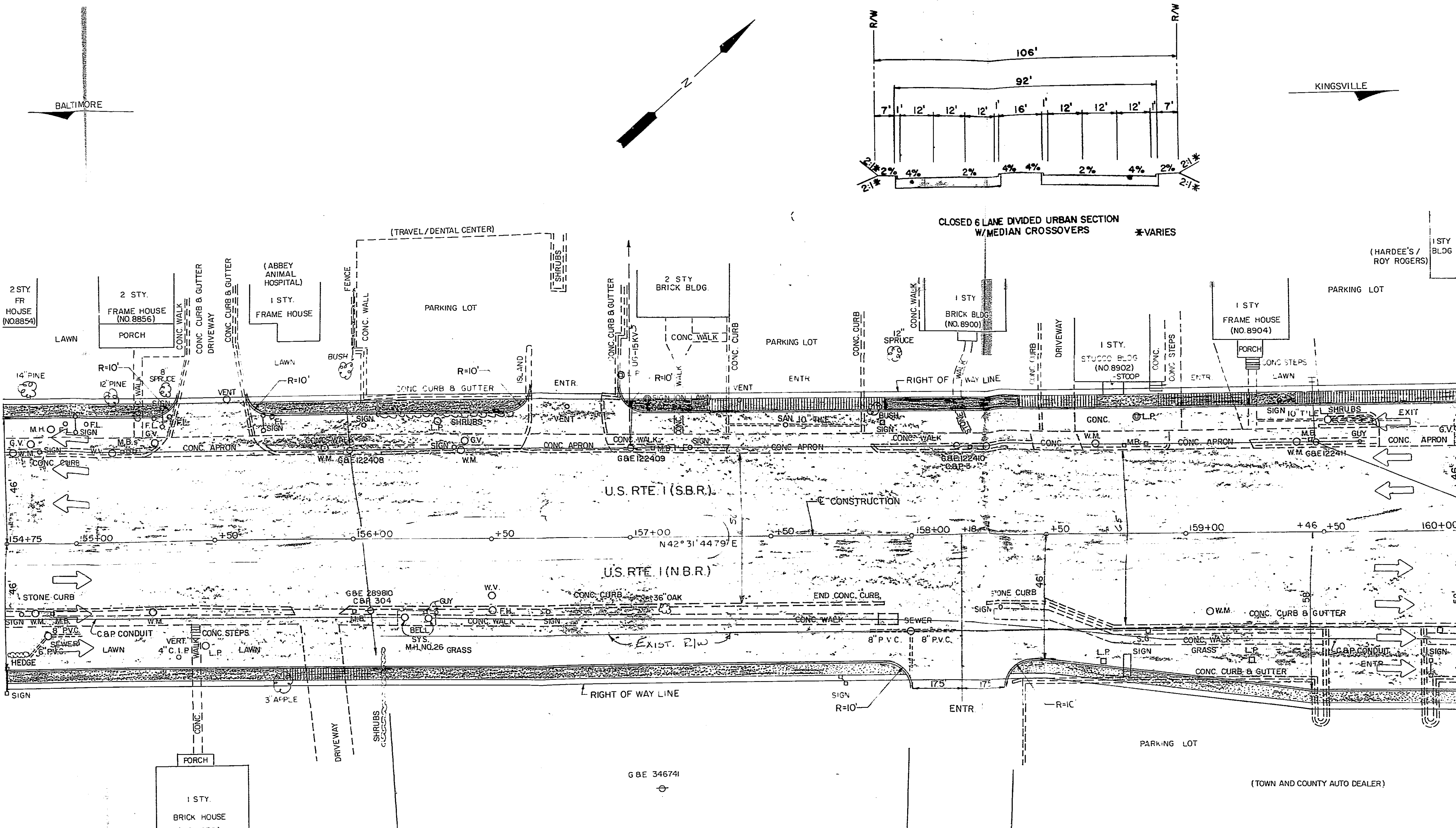
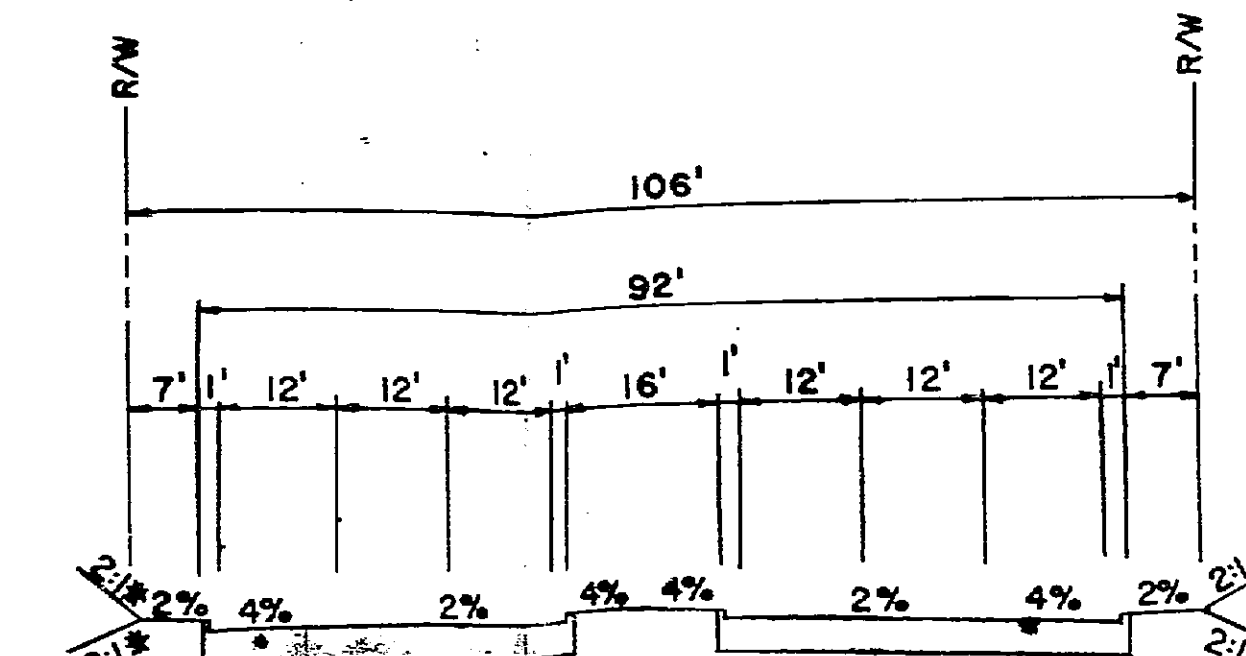


TENTATIVE
 25% 5-20-91
 HIGHWAY DESIGN DIVISION

Pet. Exhibit
 #2

REVISIONS	STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION HIGHWAY DESIGN DIVISION US RTE. 1 (S.R.) - FROM N OF SILVER SPRING RD. TO E 3:502-471

TYPICAL SECTION NO. 4



TENTATIVE
25% 5-20-91
HIGHWAY DESIGN DIVISION

SCALE: PLAN 1" = 20'

REVISIONS	STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION HIGHWAY DESIGN DIVISION US RTE. 1-BELAIR RD. FROM N OF SILVER SPRING RD.

PLAN TO ACCOMPANY ZONING RECLASSIFICATION PETITION

NOTES:

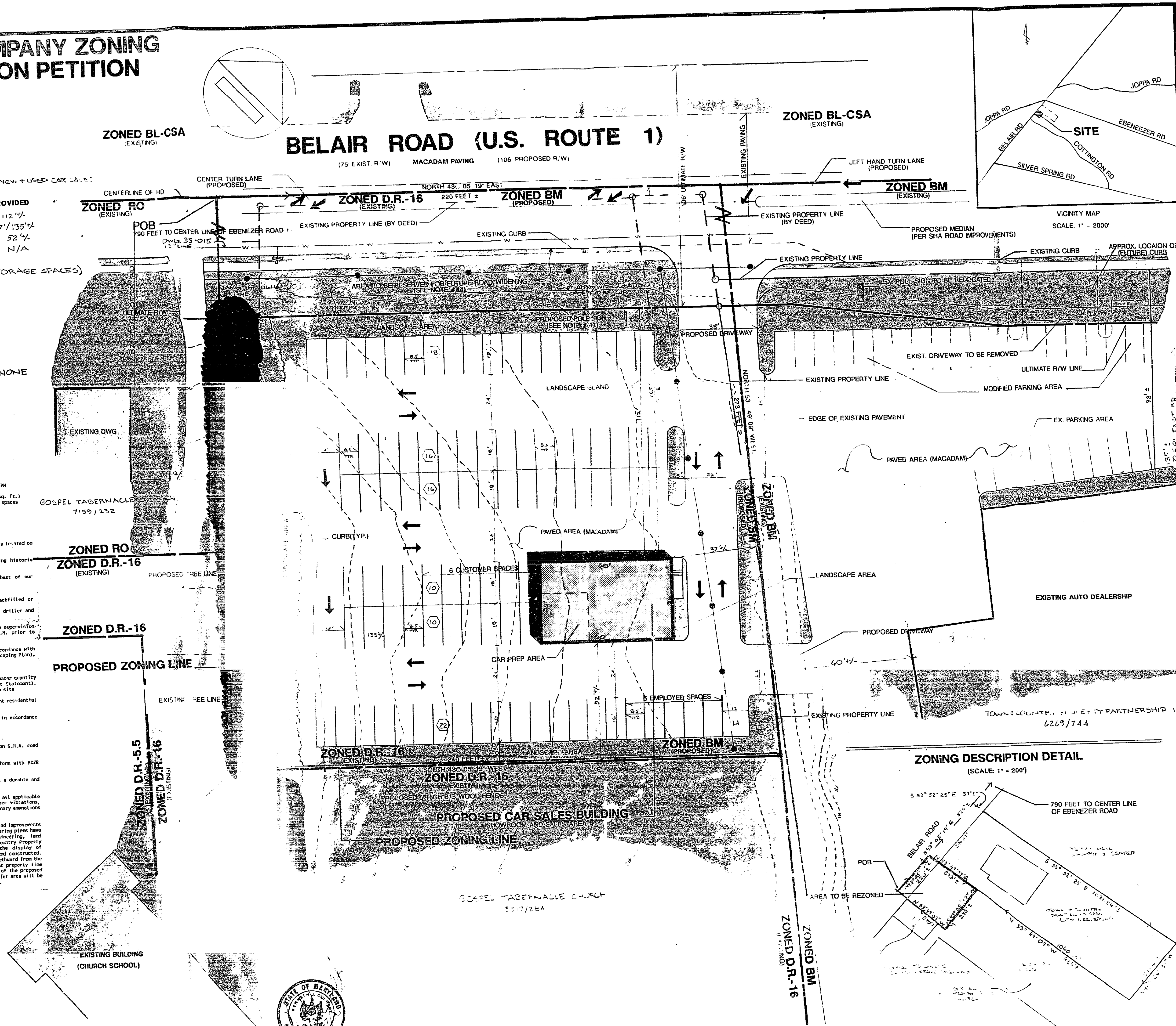
- ZONING:**
EXISTING- DR-16
PROPOSED-BM
- LOT AREA:** SEE #23
- EXISTING USE:** UNIMPROVED LAND
- PROPOSED USE:** AUTO DEALERSHIP - NEW + USED CAR SALES
- BUILDING AREA:** 2,160 sq. ft.
- BUILDING SETBACKS:**

	REQUIRED	PROVIDED
FRONT- REAR- 302.2	54'	112' 1/2"
INTERIOR SIDE-	20'	37' 1/35' 1/2"
REAR-	20'	52' 1/2"
STREET CORNER SIDE-	N/A	N/A
- PARKING:** SEE #27
REQUIRED- 11 SPACES (PLUS STORAGE SPACES)
PROVIDED- 32 SPACES
- UTILITIES:**
SEWER- PUBLIC
WATER- PUBLIC
- VARIANCES:** NONE

10) SPECIAL EXCEPTION/CONDITIONAL USE: NONE

- Electric District: 11
- County/State District: 5
- Census tract: 41503
- Waterfront: 6
- Subwatershed: 22
- Deed Reference: 2017/285
- Property Account No.: 110002201
- Tax Map 72, Grid 13, Parcel 403
- Building Coverage: 2,160 sq. ft. (60' x 36')
- Floor Area: 2,160 sq. ft.
- Floor Area Ratio (F.A.R.): 2.0
- Max F.A.R. Permitted: 4.0
- F.A.R. Proposed: 2.0
- Height of Building: 1 floor (15' maximum)
- Lot Size (Total): Gross - 56,307 sq. ft. (2) Net - 46,000 sq. ft. (2)
- No. of Employees: 5
- Hours of Operation: Monday-Friday, 9AM-9PM, Saturday, 9AM-6PM
- Mass Transit Adjuncts: N/A
- Parking Tabulation: Required: Showroom & Offices (2,160 sq. ft.)
Customer spaces: 11
Employee spaces: 5
Car storage: 16
Total: 32
- Average Daily Trips (ADT): N/A
- No existing flood plains, streams, bodies of water or springs located on or adjacent to site.
- No wetlands, critical areas, archaeological sites, existing historic buildings or endangered species habitats on site.
- This site does not contain hazardous materials to the best of our knowledge.
- Well and septic notes:
-- any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
-- any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.
- Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of D.A.P.A. prior to grading. A permit is required for removal.
- Landscaping/Buffer: Landscaping shall be provided in accordance with the Baltimore County Landscape Manual (see Conceptual Landscaping Plan).
- Assembly open space: N/A
- Stormwater Management: A waiver to stormwater management water quantity requirements will be requested (see Environmental Impact Statement). Stormwater water quality controls will be provided for on site.
- All outdoor lighting will be directed away from the adjacent residential houses.
- The proposed building will be designed and constructed in accordance with the B.C.P.A. 101 Life Safety Code.
- Handicap ramps to be provided where necessary.
- Proposed Belair Road widening and improvements based upon S.R.A. road improvement plans (Capital Improvements Program).
- Sign note: Sign locations noted on plan and will conform with BCCR Sections 413.22 & 413.23.
- All parking areas and travel aisles shall be paved with a durable and dustless surface and permanently striped.
- Maximum levels of emissions: Building will comply with all applicable codes and accepted standards relative to sound and other vibrations, dust, odor, gas, light and heat emissions. No extraordinary emissions are anticipated.
- The State Highway Administration proposes significant road improvements through this section of Belair Road. However, no engineering plans have been prepared nor funding allocated for design/engineering, land acquisition or construction. The applicant (Town & Country Property Partnership, Inc.) requests to use said land for the display of automobiles until such time as the project is funded and constructed. The area to be utilized extends from a line extended southward from the existing Town & Country Pontiac-Vauxhall dealership front property line and running parallel to Belair Road, to the beginning of the proposed parking area as shown on the plan. A 10' landscaped buffer area will be provided between the auto display area and Belair Road.

NOTE: BOUNDARY OUTLINE BASED UPON A PLAN PREPARED BY MILDENBERG, MOCHI & ASSOCIATES, INC. IN AUGUST OF 1999



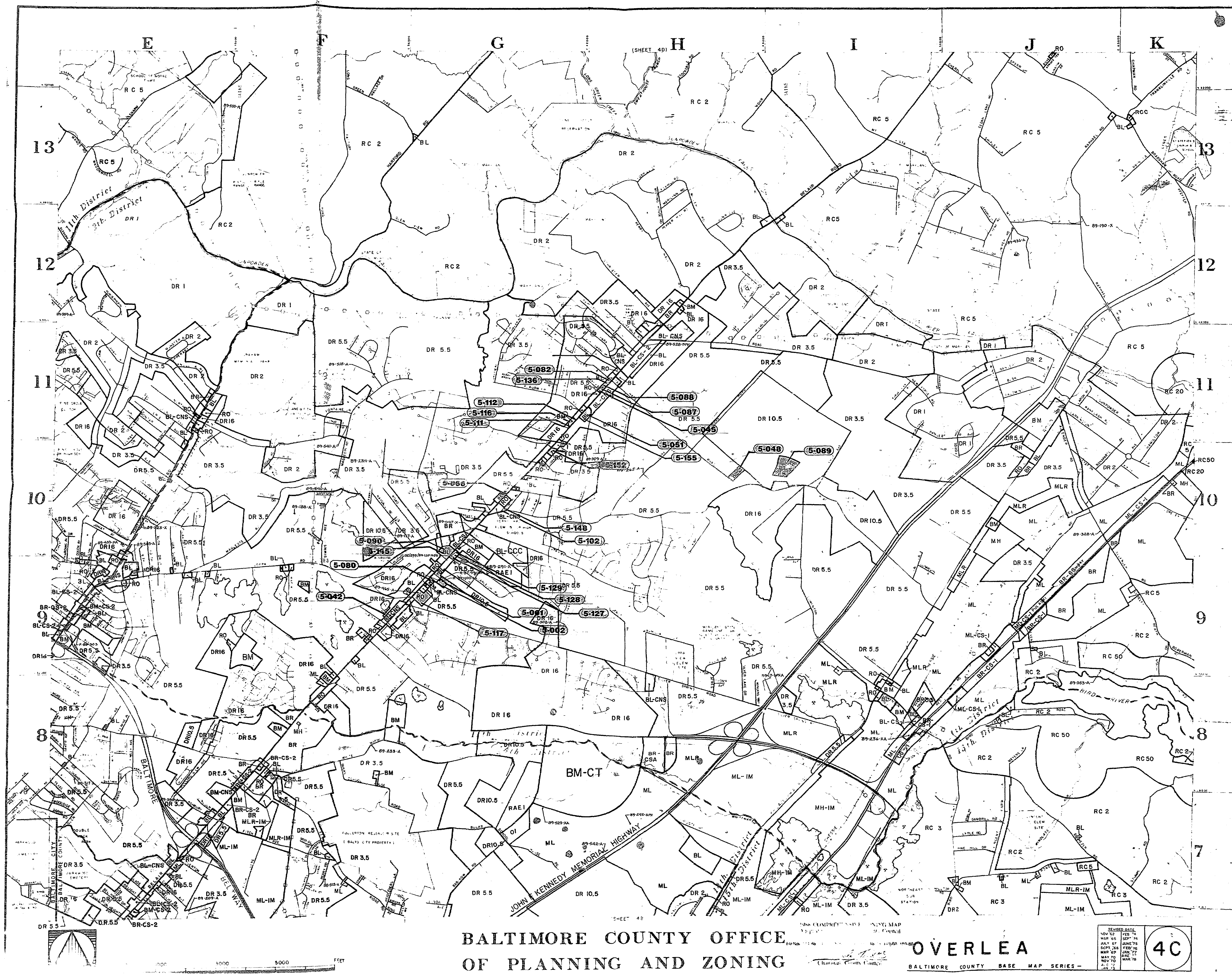
PRELIMINARY SITE PLAN

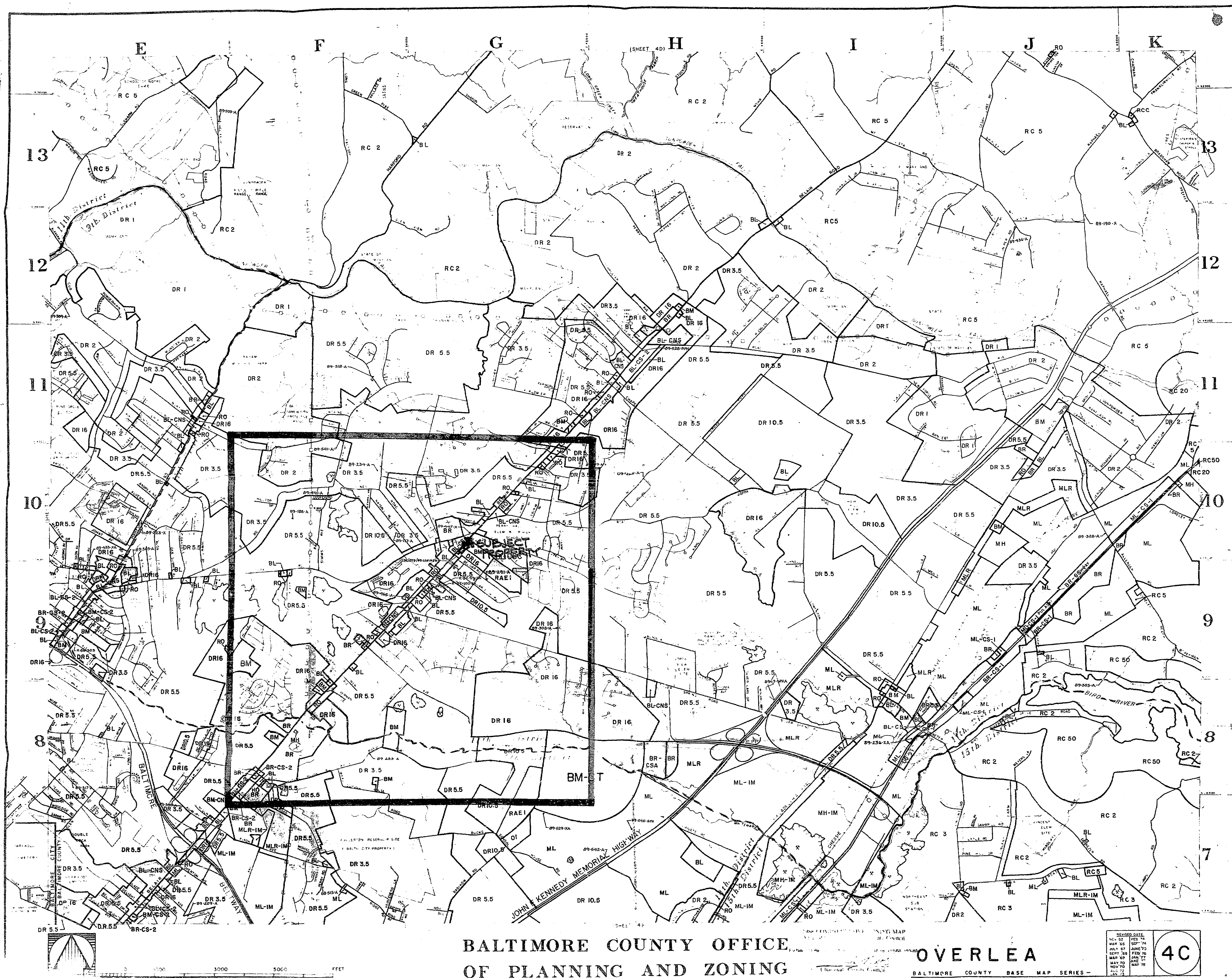
8867-69 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND

PREPARED BY:
WILLIAM F. MOCH, INC.
100 W. PENNSYLVANIA AVENUE
SUITE 305
TOWNSHIP, MARYLAND 21204
(301) 494-8981

PREPARED FOR:
TOWN AND COUNTRY PROPERTY PARTNERSHIP, INC.
TOWNSHIP, MARYLAND 21204
BALTIMORE, MARYLAND 21236

SCALE: 1" = 200'
DRAWN BY: BFD
DATE: 8/13/90
REVISED: 1/1/91







LOCATION SHEET
FULLERTON N.E.
8-F

PET. EX-8

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1964
LOCATION FULLERTON VICINITY
SHEET N.E. 8-F

WHITE MARSH MALL



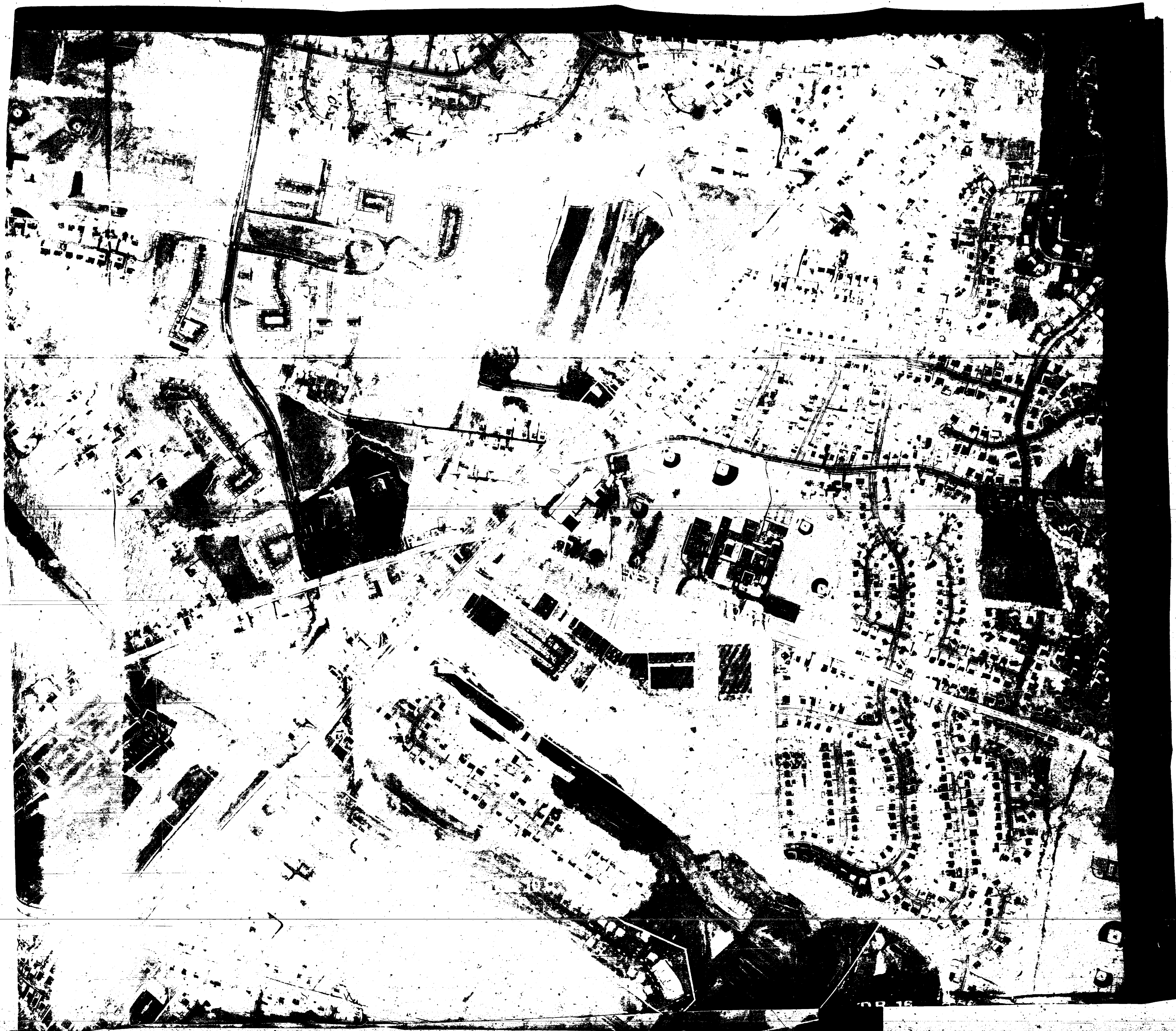
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
AERIAL PHOTOGRAPHIC MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
12/1/68

LOCATION

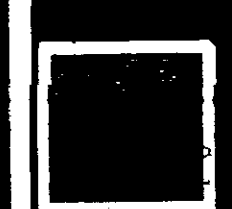
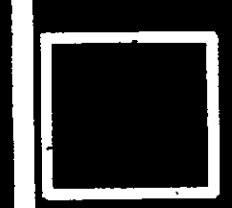


FULLERTON





LEGEND

SYMBOL ZONING

-  B.L.- BUSINESS, LOCAL
B.M.- BUSINESS, MAJOR
B.R.- BUSINESS, ROADSIDE
-  R.A.E. 1- RESIDENCE, APARTMENT,
ELEVATOR
-  D.R. 10- DENSITY RESIDENTIAL
D.R. 16- DENSITY RESIDENTIAL
-  REZONING SITE

D.R. 16

RECLASSIFICATION PETITION OF
GOSPEL TABERNACLE OF BALTIMORE
SE/S Belair Rd. 790' SW C/L of
Ebenezer Rd. (8867-8869 Belair
Rd.), 11th Election District
5th Councilmanic District

Petitioner

REQUEST FOR SUMMONS

MEMBERS OF THE COUNTY BOARD OF APPEALS:

On behalf of Gospel Tabernacle, Inc. please issue a
summons for the following person to appear for testimony before
the Board of Appeals on WEDNESDAY, MAY 22, 1991 AT 10:00 A.M.
and to have and bring with him his own and/or his department's
file concerning the above entitled case:

Mr. Jeffrey Long
Assistant to the Deputy Director
Office of Planning and Zoning
County Courts Building
Towson, MD 21204

GARY C. DUVALL
SHERIFF OF BALTIMORE COUNTY

Linda M. Keyman
Board of Appeals

GARY C. DUVALL
MILES & STOCKBRIDGE
SUITE 300, 600 WASHINGTON AVENUE
TOWSON, MD 21204
(301) 823-8155

Attorney for Petitioner

Board of Appeals

Board of Appeals

Board of Appeals

Board of Appeals

Board of Appeals

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Board of Appeals

Board of Appeals

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
57/5 Belair Rd., 790' SW C/L of
Ebenezer Rd. (8867-8869 Belair
Rd.), 11th Election District
5th Councilmanic District

GOSPEL TABERNACLE OF BALTIMORE, : Zoning Case No. CR-91-118 (Item 12,
Petitioner : Cycle IV)

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-
captioned matter. Notices should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 5th day of April, 1991, a copy
of the foregoing Entry of Appearance was mailed to Gary C. Duvall,
Esquire, 600 Washington Ave., Towson, MD 21204, Attorney for Petitioner;
and Town & Country Property Partnership, Inc., 8903 Belair Rd., Baltimore,
MD 21236, ATTN: Richard Sammis, President, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

July 9, 1991

Gary C. Duvall, Esquire
600 Washington Avenue
Towson, MD 21204

Re: Case No. CR-91-118 /
Gospel Tabernacle of Baltimore

Dear Mr. Duvall:

As no appeals have been taken regarding the subject case, we
have closed the file and returned same to the Office of the Zoning
Commissioner, along with any exhibits entered before the Board.
The Zoning Commissioner's office maintains the permanent file.

If you have an interest in either the file or the exhibits,
please contact the Zoning Commissioner's office at 887-3153
immediately upon receipt of this letter. By copy of this letter,
all parties of record that may have an interest in this file have
been notified.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

cc: Ms. Carol Strain
Gospel Tabernacle of Baltimore
Town & Country Property Partnership, Inc.
William P. Monk, Inc.
People's Counsel for Baltimore County

NOTICE OF HEARING

Petition for
Zoning Reclassification
Case Number: CR-91-118
57/5 Belair Rd., 790' SW C/L of
Ebenezer Rd.
8867-8869 Belair Rd.
11th Election District
5th Councilmanic District
Gospel Tabernacle of
Baltimore
Contract Purchaser:
Town & Country Property
Partnership, Inc.
Property Description:
Beginning for the same at a
point located within the roadbed
of Belair Road, said point being
approximately 790 feet in a
southwesterly direction from the
centerline of Ebenezer Road, thence
along the centerline of Belair Road
to the intersection of the centerline
of Ebenezer Road, thence run-
ning the four following courses
and distances:
(1) North 43 degrees 05
minutes 19 seconds East 220
feet, more or less;
(2) South 53 degrees 05
minutes 09 seconds East 273
feet, more or less;
(3) South 43 degrees 05
minutes 19 seconds East 240
feet, more or less;
(4) North 53 degrees 49
minutes 09 seconds West 270
feet, more or less to the point of
beginning.
Containing 1.40 acres of land
more or less.
RECLASSIFICATION: Petition
to reclassify the property from
D.R. - 16 zoning to B.M. zoning.
TIME: 10:00 A.M.
DATE: WED. MAY 22, 1991
LOCATION: Room 304,
County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland 21204.
WILLIAM T. HACKETT,
Chairman
County Board of Appeals
N24/154 April 19

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/19/91
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 4/18/91.

THE JEFFERSONIAN,

S. Zebe Orlean
Publisher

\$ 106.13

NO NOTICE OF HEARING

Petition for
Zoning Reclassification
Case No. CR-91-118
57/5 Belair Rd., 790' SW C/L of
Ebenezer Rd.
8867-8869 Belair Rd.
11th Election District
5th Councilmanic District
Gospel Tabernacle of
Baltimore
Contract Purchaser:
Town & Country Property
Partnership, Inc.
Property Description:
Beginning for the same at a
point located within the roadbed
of Belair Road, said point being
approximately 790 feet in a
southwesterly direction from the
centerline of Ebenezer Road, thence
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to the intersection of the centerline
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(1) North 43 degrees 05
minutes 19 seconds East 220
feet, more or less;
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minutes 09 seconds East 273
feet, more or less;
(3) South 43 degrees 05
minutes 19 seconds East 240
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Containing 1.40 acres of land
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to reclassify the property from
D.R. - 16 zoning to B.M. zoning.
TIME: 10:00 A.M.
DATE: WED. MAY 22, 1991
LOCATION: Room 304,
County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland 21204.
WILLIAM T. HACKETT,
Chairman
County Board of Appeals
N24/154 April 19

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/19/91
THIS IS TO CERTIFY, that the annexed advertisement was published
in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES
REPORTER, weekly newspapers published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 4/18/91.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zebe Orlean
Publisher

\$ 106.13

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition (1)
that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law
of Baltimore County, from an DR 16 zone to an BM zone, for the reasons given in the attached statement, and (2) for a Special Exception, under the
said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property
for _____
and (3) for the reasons given in the attached statement, a variance from the following sections of
the Zoning Law and Zoning Regulations of Baltimore County:

MAP N24/154
-B3
-B4
-B5
-B6
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-B100

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance,
posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning
regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore
County.

Contract Purchaser: TOWN & COUNTRY PROPERTY PARTNERSHIP, INC.
(Type or Print Name)
Signature: _____
8903 Belair Road
Address
Baltimore, MD 21236
City and State

Legal Owner(s): GOSPEL TABERNACLE OF BALTIMORE
(Type or Print Name)
Signature: _____
8855 Belair Road
Address
Baltimore, MD 21236
City and State

Attorney for Petitioner: Gary C. Duvall
(Type or Print Name)
Signature: _____
600 Washington Avenue
Address
Towson, MD 21204
City and State

8855 Belair Road
Address
Baltimore, MD 21236
City and State

Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
William P. Monk, Inc.
100 West Pennsylvania Avenue, Suite 305
Towson, Maryland 21204 454-8931

Attorney's Telephone No.: 821-6565
Address
Phone No.

BABC - Form 1
57-6 WA 18 30106
COUNTY BOARD OF APPEALS

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

receipt
No 3499

Date: 9/24/90
PUBLIC HEARING FEES QTY PRICE
060 - RECLASSIFICATION 1 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: GOSPEL TABERNACLE

PAID PER HAND WRITTEN
RECEIPT DATED
8/30/90

Cashier Validation: Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number

receipt
#6

Date: 8/30/90
Recess Petition \$175.00
Owner: Gospel Tabernacle of Balt
Contract Purchaser: Town & Country Property Partnership
8867-89 Belair Rd

DR 16 to BM

Please Make Checks Payable To: Baltimore County
NEXT BUSINESS DAY

Cashier Validation

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: 4/23/91

Tom & Country Property Partnership, Inc.
8903 Belair Road
Baltimore, Maryland 21236

Re: Petition for Zoning Reclassification
CASE NUMBER: CR-91-118
SE/S Belair Road, 790' SW C/L of Ebenezer Road
8867-8869 Belair Road
11th Election District - 5th Councilmanic
Legal Owner(s): Gospel Tabernacle of Baltimore
Contract Purchaser(s): Tom & Country Property Partnership, Inc.
HEARING: WEDNESDAY, MAY 22, 1991 at 10:00 a.m.

Dear Petitioner(s):

This is to advise you that \$458.84 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and remit it to Mr. S. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Very truly yours,

J. Robert Haines
Zoning Commissioner

cc: Gary C. Duval, Esq.

October 17, 1990

NOTICE OF HEARING

Petition for Zoning Reclassification
CASE NUMBER: CR-91-118
SE/S Belair Road, 790' SW C/L of Ebenezer Road
8867-8869 Belair Road
11th Election District - 5th Councilmanic
Legal Owner(s): Gospel Tabernacle of Baltimore

PROPERTY DESCRIPTION

Beginning for the same at a point located within the roadbed of Belair Road, said point being approximately 790 feet in a southerly direction measured parallel to the centerline of Belair Road (75 feet wide) from the intersection of the centerline of Ebenezer Road, thence running the four following courses and distances:

- 1) North 43 degrees 05 minutes 19 seconds East 220 feet, more or less;
- 2) South 53 degrees 49 minutes 09 seconds East 273 feet, more or less;
- 3) South 43 degrees 05 minutes 19 seconds East 240 feet, more or less;
- 4) North 53 degrees 49 minutes 09 seconds West 270 feet, more or less to the point of beginning.

Containing 1.49 acres of land more or less.

RECLASSIFICATION: Petition to reclassify the property from D.R.-16 zoning to B.M. zoning.

TIME: 10:00 a.m.

DATE: WEDNESDAY, MAY 22, 1991

LOCATION: County Office Building, Room 301
111 W. Chesapeake Avenue
Towson, Maryland 21204

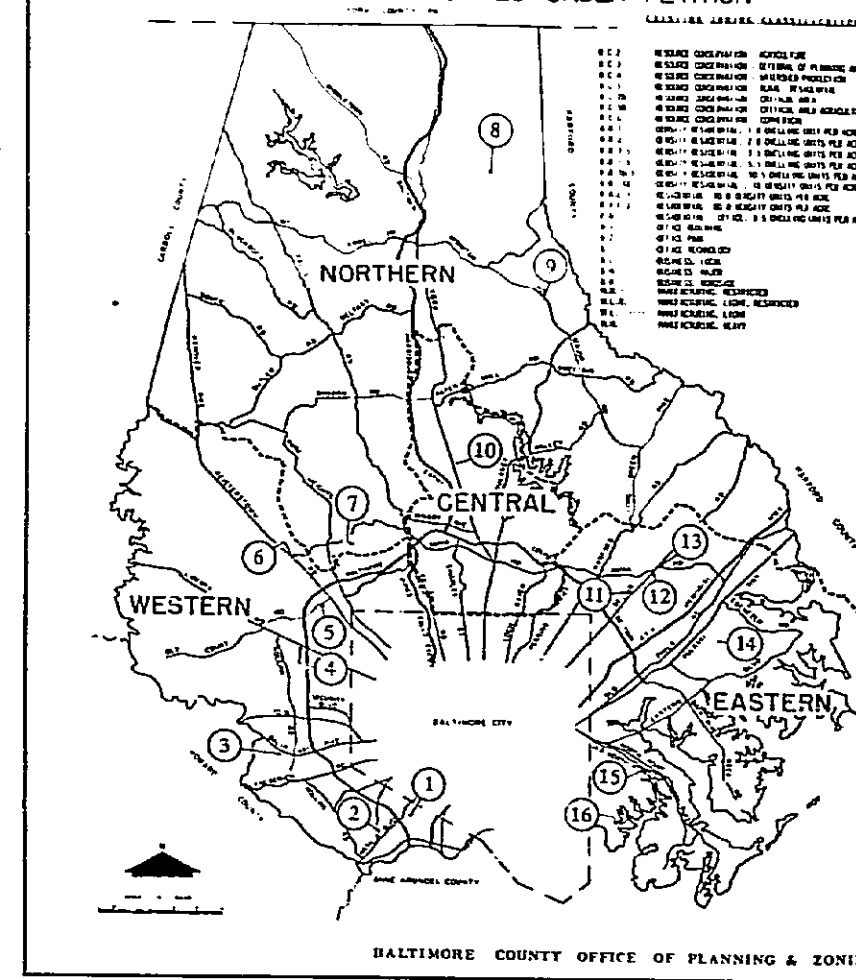
WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

cc: Gospel Tabernacle of Baltimore
Tom & Country Property Partnership
Gary C. Duval, Esq.
William P. Runk, Inc.

PUBLIC NOTICE

RECLASSIFICATION AND REDISTRIBUTING PETITIONS ACCEPTED FOR
FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1990 -
APRIL, 1991 ZONING RECLASSIFICATION CYCLE IV

LOCATIONS OF PROPERTIES UNDER PETITION

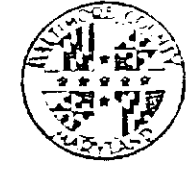


1. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
2. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
3. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
4. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
5. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
6. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
7. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
8. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
9. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
10. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
11. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
12. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
13. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
14. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
15. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
16. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
17. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
18. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
19. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)
20. Petition for Zoning Reclassification from D.R.-16 to B.M. for property located at 8867-8869 Belair Road, 11th Election District, 5th Councilmanic. (Gospel Tabernacle of Baltimore)

LISTING OF PETITIONS: Numbers in the listings are keyed to the map above.

BY ORDER OF
WILLIAM T. HACKETT,
CHAIRMAN, COUNTY BOARD OF APPEALS AND
P. DAVID FIELDS,
DIRECTOR OF PLANNING AND ZONING

October 31, 1990 TOWSON TIMES Page 75



Baltimore County, Maryland

PEOPLE'S COUNSEL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
857-286-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

May 17, 1991

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 315, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Gospel Tabernacle of Baltimore
Zoning Case No. CR-91-118

Dear Chairman Hackett:

During the current cycles, this office is no longer entering its appearance in reclassifications based upon documented site plans, where both the Planning Board and Planning Staff recommend approval; and where no neighbors or community group have advised this office of any opposition.

The above reclassification meets these criteria and therefore no one from this office will attend the hearing. We respectfully call the Board's attention to the conditions requested by the Planning Staff in their approval recommendation, which is attached. We also would like to remind the Board that even when a documented site plan is submitted in accordance with Section 2-58.1(a), the Board must make a finding in accordance with Section 2-58.1(j) (1) that there has been a change or error; (2) that the reclassification is warranted based on the enumerated factors; and (3) in the case of land within the Chesapeake Bay Critical Area, it meets the appropriate standards. A copy of Section 2-58.1(j), Baltimore County Code, is attached for your convenience.

If you have any questions or desire this office's presence, we will be happy to cooperate.

Sincerely yours,
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Enclosures

cc: Gary C. Duval, Esquire

PCF:sh

10 LIGHT STREET
BALTIMORE, MARYLAND 21202
101 BAY STREET
EASTON, MARYLAND 21821
11300 RANDOLPH HILLS ROAD
FAIRFAX, VIRGINIA 22030

GARY C. DUVAL
800-853-8100

LAW OFFICES
MILES & STOCKBRIDGE
600 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 301-881-8555
FAX 301-893-8120

90 WEST PATRICK STREET
FREDERICK, MARYLAND 21701
22 WEST JEFFERSON STREET
ROCKVILLE, MARYLAND 20850
1054 GALT STREET, N.W.
WASHINGTON, D.C. 20007

May 14, 1991

Mr. William Hackett, Chairman
Board of Appeals of Baltimore County
County Office Building
Towson, MD 21204

RE: Gospel Tabernacle of Baltimore
SE/S Belair Rd. 790' SW C/L of Ebenezer Rd.
(8867-8869 Belair Rd.)
11th Election District

Dear Mr. Hackett:

Please issue a summons to Mr. Jeffrey Long, Assistant to the Deputy Director of the Office of Planning and Zoning, for him to appear before the Board of Appeals on Wednesday, May 22, 1991 at 10:00 a.m.

Thank you for your assistance in this matter.

Very truly yours,
Gary C. Duval
Gary C. Duval

GCD:ld

Encl.

CR-91-118

The Gospel Tabernacle of Baltimore, Maryland

8855 BELAIR ROAD, BALTIMORE, MARYLAND 21236-2404
CHURCH OFFICE: (301) 266-2227 FAX: (301) 266-5566
Mailing Address: P.O. BOX 276, PERRY HALL, MARYLAND 21128-0273

HIS CROSS IS
OUR GLORY

August 28, 1990

Board of Appeals
3rd Floor, Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Reclassification Petition: 8867-69 Belair Road
Baltimore County, Maryland

Dear Commissioners:

As designated representative for the Gospel Tabernacle of Baltimore and owner of the above-referenced property, I am granting the contract purchaser (Tom & Country Property Partnership, Inc. and their representative, Mr. Richard Sammis, President) the authority to appear on their own behalf and represent themselves as applicant at any hearings before the Board.

Cordially,

Gary Heffler, Pastor
Gospel Tabernacle of Baltimore
8855 Belair Road, Baltimore Co., MD

SCHEDULE OF SERVICES
Sunday School 10 A.M. - 11 A.M. - C. M. C. - 11 A.M. - 12 P.M.
Wednesday Evening Worship 7:30 P.M.
"ONLY JESUS GIVES PEACE"

100 W. PATRICK STREET
TOWSON, MD 21204
301-484-6831

703-941-1530

TO: CARL RICHARDS
BALTIMORE COUNTY

ATTENTION
8867-69 BELAIR ROAD

GENTLEMEN:
WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☒ ZONING DESCRIPTION

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
3		ZONING DESCRIPTION	FOR YOUR USE

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☒ As requested ☐ Submit _____ copies for distribution
☒ For your use ☐ Resubmit _____ copies for approval ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO _____ SIGNED: W. P. Mark

If enclosures are not as noted, kindly notify us at once.